GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:4573
ANSWERED ON:14.12.2016
Corruption and Nepotism in Judiciary
Azad Shri Kirti (JHA)

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there have been mass transfer of many judges from different High Courts and if so, the major reasons therefor;

(b) whether cases of corruption, inefficiency, misconduct and nepotism, etc. in the judiciary are on the rise and hardly questioned owing to the provision of contempt of court;

(c) if so, the details thereof;

(d) whether the highly cumbersome procedure of impeachment by Parliament has allowed judicial corruption to go on uncontrolled and if so, the mechanism evolved/proposed by the Government to address the issue and make judiciary accountable;

(e) whether the Government plans to check nepotism by appointing High Court judges from outside their home-states; and

(f) if so, the details thereof and if not, the alternative procedure for avoiding the uncle judges" syndrome and to check influence from local relations/former bar-colleagues proposed by the Government?

Answer

ANSWER
Minister of State for Law and Justice and Electronics and Information Technology

(SHRI P.P. CHAUDHARY)

(a) to (f): The Judges of the High Courts are transferred from one High Court to another on various occasions for better administration of Justice including filling up of vacancies. During the year 2016, 37 Judges including 4 Chief Justices were transferred from one High Court to another.

Regarding various allegation of corruption, inefficiency, nepotism etc. against the judiciary, the higher judiciary has an established 'In-House Mechanism' to address such allegations. The complaints/representations against judges received by the Government are forwarded to the Chief Justice of India in case of the Judges of the Supreme Court and Chief Justices of the High Courts or to the Chief Justice of the concerned High Court, in case of High Court Judges, for appropriate action.
The Full Court meeting of Supreme Court of India on 7 May 1997 had also adopted "the Restatement of Values of Judicial Life" which lays down certain judicial standards which are to be observed and followed by the Judges of the Supreme Court and the High Courts.